

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<i>In re</i>  Boy Scouts of America and Delaware BSA, LLC, <sup>1</sup> Debtors.	Chapter 11  Bankruptcy Case No. 20-10343 (LSS)  (Jointly Administered)
National Union Fire Insurance Co. of Pittsburgh, PA, <i>et al.</i> ,  Appellants.  v.  Boy Scouts of America and Delaware BSA, LLC,  Appellees.	District Court Case No. 22-cv-01237-RGA

**CERTAIN INSURERS' STATEMENT OF ISSUES ON APPEAL AND  
DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 6(b)(2)(B) of the Federal Rules of Appellate Procedure, the undersigned Appellants submit the following: (i) statement of issues to be considered on appeal from the District Court's final order; and (ii) designation of items to be included in the record on appeal.

**I. Statement of Issues to Be Presented On Appeal**

Appellants present the following statement of issues to be considered on appeal.

1. Whether the Plan confirmed by the bankruptcy court impermissibly impairs Appellants' contractual and other rights.

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<sup>1</sup> The Debtors in the chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are as follows: Boy Scouts of America (6300); and Delaware BSA, LLC (4311). The Debtors' mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

2. Whether the Plan confirmed by the bankruptcy court impermissibly permits the assignment or transfer of rights under the Appellants' contracts, including by not requiring the assignment or transfer of the obligations owed to the Appellants under such contracts.

3. Whether the Plan confirmed by the bankruptcy court complies with the applicable provisions of Title 11 of the United States Code pursuant to 11 U.S.C. § 1129(a)(1).

4. Whether the Plan confirmed by the bankruptcy court complies with 11 U.S.C. § 1129(a)(3).

5. Whether the Plan confirmed by the bankruptcy court provides for a claims allowance process that violates 11 U.S.C. § 502 and related Federal Rules of Bankruptcy Procedure.

6. Whether the Plan confirmed by the bankruptcy court impermissibly impairs the Appellants' rights under the judgment reduction clause.

## **II. Designations Of Items To Be Included In The Record On Appeal**

Appellants submit the following designation of items to be included in the record on appeal, which includes all exhibits, appendices, and/or addenda:

### **A. Bankruptcy Court Docket Entries**

<b>Item</b>	<b>Date Filed/Entered</b>	<b>Bankr. Dkt. No.</b>	<b>Description</b>
1.	2/18/2020	1	Chapter 11 Voluntary Petition
2.	3/6/2020	147	National Surety Corporation's Motion (I) for Relief from the Automatic Stay or, in the Alternative, (II) to Extend the Stay
3.	3/17/2020	211	Limited Objection of Creditors and Parties in Interest to National Surety Corporation's Motion

4.	3/18/2020	230	Certification of Counsel Regarding National Surety Corporation's Motion
5.	3/19/2020	236	Agreed Order Granting in Part National Surety Corporation's Motion
6.	3/1/2021	2293	Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC
7.	3/1/2021	2294	Disclosure Statement for the Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC
8.	3/1/2021	2295	Motion to Approve Debtors' Motion for Entry of an Order Approving the Disclosure Statement and the Form and Manner of Notice
9.	4/13/2021	2592	Second Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC
10.	4/14/2021	2594	Amended Disclosure Statement for the Second Amended Chapter 11 Plan
11.	4/14/2021	2595	Notice of Filing of Redlines of Plan and Disclosure Statement
12.	5/06/2021	3271	Great American's Objection to Debtors' Disclosure Statement for Second Amended Chapter 11 Plan
13.	5/06/2021	3278	Joinder by Travelers Casualty and Surety Company, Inc., to Great American's Objection to Debtors' Disclosure Statement
14.	5/06/2021	3285	Argonaut Insurance Company's Objection to Debtors' Disclosure Statement
15.	5/10/2021	3523	The AIG Companies' Objection to Motion for Approval of Debtors' Disclosure Statement
16.	5/10/2021	3549	The Allianz Insurers' Objection to the

			Debtors' Disclosure Statement
17.	5/10/2021	3578	Objection of Liberty Mutual Insurance Company to the Disclosure Statement
18.	5/12/2021	3740	Joinder of General Star Indemnity Company to the Allianz Insurers' Objection to the Debtors' Disclosure Statement
19.	5/12/2021	3856	Century Indemnity Company's Objections to the Debtors' Disclosure Statement
20.	5/16/2021	4107	Proposed Amendments to Second Amended Chapter 11 Plan of Reorganization for Boy Scouts of America
21.	5/21/2021	4716	Transcript regarding Hearing Held 5/19/2021 Re: Disclosure Statement
22.	6/18/2021	5368	Third Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC
23.	6/18/2021	5371	Amended Chapter 11 Combined Plan and Disclosure Statement
24.	6/17/2021	5372	Notice of Filing of Redlines of Third Amended Plan and Proposed Amendments to Disclosure Statement
25.	7/1/2021	5466	Motion for Entry of an Order Authorizing The Debtors To Enter Into and Perform under the Restructuring Support Agreement
26.	7/2/2021	5484	Fourth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC
27.	7/2/2021	5485	Amended Disclosure Statement for Fourth Amended Chapter 11 Plan of Reorganization
28.	7/2/2021	5486	Notice of Filing of Redlines of Fourth amended Plan and Amended Disclosure

			Statement
29.	7/8/2021	5529	Transcript regarding Hearing Held 7/7/2021 Re: Status Conference
30.	7/22/2021	5684	Certain Insurers Objection to Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter Into and Perform under the Restructuring Support Agreement
31.	7/22/2021	5707	[SEALED] Objection to the Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter Into and Perform Under the Restructuring Support Agreement
32.	7/22/2021	5708	[SEALED] Declaration of Daniel Shamah in Support of Century's Objections to Debtors' Motion for Entry of Order Authorizing Debtors to Enter into and Perform under the Restructuring Support Agreement
33.	7/23/2021	5723	Final Redacted Version of Insurers' Objection to the Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter Into and Perform under the Restructuring Support Agreement
34.	7/26/2021	5759	Debtors Omnibus Reply in Further Support of Debtors' Motion for Entry of an Order Authorizing Debtors to Enter Into and Perform under the Restructuring Support Agreement
35.	7/26/2021	5760	Supplemental Brief of Coalition of Abused Scouts for Justice, Official Committee of Tort Claimants, and Future Claims Representative In Support of Debtors' Motion for Entry of an Order Authorizing Debtors to Enter Into and Perform under the Restructuring Support Agreement
36.	8/09/2021	5925	Hartford's Supplement to Objection to

			Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into and Perform Under the Restructuring Support Agreement
37.	8/9/2021	5932	Redacted Version of Supplemental Objection of Century Indemnity to Motion to Authorize Debtors' Motion for Entry of an Order Authorizing the Debtors to Enter into and Perform under the Restructuring Support Agreement
38.	8/9/2021	5934	Certain Excess Insurers' Joinder in Century's Supplemental Objection
39.	8/9/2021	5935	AIG's Joinder to Century's Supplemental Objection and Partial Joinder to Hartford's Supplemental Objection
40.	8/11/2021	5961	Debtors' Motion for Leave to file Debtors' Response to Certain Supplemental Objections
41.	8/17/2021	6052	Certain Insurers' Supplemental Objection to Motion for Approval of Debtors' Disclosure Statement
42.	8/17/2021	6053	Joinder of Arch Insurance Company to Certain Insurers' Objections
43.	8/17/2021	6055	The Allianz Insurers' Joinder to the Certain Insurers' Supplemental Objection to Disclosure Statement
44.	8/17/2021	6056	Certain Excess Insurers' Supplemental Objection to Debtors' Disclosure Statement
45.	8/17/2021	6057	Joinder and Supplemental Objection of Liberty Mutual Insurance Company to the Disclosure Statement
46.	8/17/2021	6062	Certain Insurers' Superseding Objections to the Disclosure Statement for Debtors' Fourth Amended Plan

47.	8/18/2021	6083	Century's Objections to the Debtors' Disclosure Statement
48.	8/20/2021	6098	Transcript regarding Hearing Held 8/19/2021 Re: Ruling on RSA Motion
49.	9/15/2021	6212	Fifth Amended Chapter 11 Plan of Reorganization for Boy Scouts of America and Delaware BSA, LLC
50.	9/16/2021	6249	Debtors' Omnibus Reply in Support of Debtors' Motion for Entry of an Order Approving Disclosure Statement
51.	9/29/2021	6429	Modified Fifth Amended Chapter 11 Plan of Reorganization
52.	9/29/2021	6430	Redline of Modified Fifth Amended Chapter 11 Plan of Reorganization
53.	9/29/2021	6431	Amended Disclosure Statement
54.	9/30/2021	6432	Redline of the Amended Disclosure Statement
55.	9/30/2021	6436	Transcript regarding Hearing Held 9/28/2021 Re: Disclosure Statement
56.	9/30/2021	6438	Order Approving the Disclosure Statement and Notice
57.	12/18/2021	7832	Second Modified Fifth Amended Chapter 11 Plan of Reorganization
58.	12/18/2021	7833	Second Modified Fifth Amended Chapter 11 Plan, and Blackline
59.	12/18/2021	7834	Second Modified Fifth Amended Chapter 11 Plan, and Blackline
60.	1/07/2022	8190	The Official Committee of Tort Claimants' Status Report Re: Second Modified Fifth Amended Chapter 11 Plan of Reorganization
61.	1/7/2022	8210	Joinder of the Zalkin Law Firm, P.C., et al., to the Official Committee of Tort Claimants' Status Report

62.	1/11/2022	8234	Debtors' Response to the Official Committee of Tort Claimants' Status Report
63.	2/4/2022	8685	Munich Reinsurance America, Inc., Joinder to Certain Objections and Separate Objection to the Plan
64.	2/4/2022	8695	[SEALED] Certain Insurers' Objection to Confirmation of Debtors' Chapter 11 Plan
65.	2/4/2022	8696	[SEALED] Allianz Insurers' Objection to Second Modified Fifth Amended Chapter 11 Plan
66.	2/4/2022	8697	[SEALED] Appendix to Certain Insurers Objection
67.	2/4/2022	8698	[SEALED] Joinder and Objection of Liberty Mutual Insurance Company to the Second Modified Fifth Amended Chapter 11 Plan of Reorganization
68.	2/4/2022	8699	Old Republic Insurance Company Joinder to Objections and Supplemental Objection
69.	2/4/2022	8700	Joinder by Travelers and Surety Company, Inc., et al., to Allianz Insurers' Objection
70.	2/5/2022	8703	Joinder of Traders and Pacific Insurance Company to Certain Insurers' Objection
71.	2/9/2022	8763	Joinder and Objection of Liberty Mutual Insurance Company to the Second Modified Fifth Amended Chapter 11 Plan of Reorganization
72.	2/10/2022	8772	Eleventh Mediator's Report
73.	2/10/2022	8778	Allianz Insurers' Objection to Second Modified Fifth Amended Chapter 11 Plan
74.	2/10/2022	8785	Certain Insurers' Statement in Advance of February 11, 2022 Status Conference



75.	2/11/2022	8793	Proposed Redacted Version of Certain Insurers Objection to Confirmation of Debtors Chapter 11 Plan
76.	2/14/2022	8811	Unsealed Joint FCR and Coalition Motion for Entry of an Order Striking Portions of Bates Reports and Precluding Testimony Related to Improper Valuation Opinion
77.	2/15/2022	8812	Unsealed Version of the Limited Objection of the Tort Claimants' Committee to Findings Related to the Valuation of Abuse Claims
78.	2/15/2022	8813	Third Modified Fifth Amended Chapter 11 Plan of Reorganization
79.	2/15/2022	8814	Third Modified Fifth Amended Chapter 11 Plan of Reorganization, and Blackline
80.	2/15/2022	8815	Fourth Amended Plan Supplement
81.	2/15/2022	8816	Exhibits I-1 and J-1 to Third Modified Fifth Amended Chapter 11 Plan
82.	2/15/2022	8817	Exhibits I-2, I-3, I-4, and J-2 to Third Modified fifth Amended Chapter 11 Plan
83.	2/15/2022	8819	Transcript regarding Hearing Held 2/11/2022 Re: Status Conference
84.	2/15/2022	8825	Supplement to Appendix to Certain Insurers' Objection to Confirmation
85.	2/16/2022	8858	Amended Proposed Redacted Versions of Certain Insurers Objection to Confirmation of Debtors Chapter 11 Plan and Appendix
86.	2/25/2022	9009	Transcript regarding Hearing Held 2/24/2022 Re: Status Conference
87.	2/25/2022	9033	Certain Insurers Supplemental Objection to Confirmation of Plan

88.	3/2/2022	9097	Fifth Amended Plan Supplement
89.	3/2/2022	9101	[SEALED] Certain Insurers' Opposition to Limited Objection of the Tort Claimants' Committee and Joint FCR and Coalition Motion Regarding Expert Reports and Valuation Opinions
90.	3/2/2022	9104	[SEALED] Declaration of Betty X. Yang in Support of Certain Insurers' Opposition
91.	3/3/2022	9118	Debtors' Response to the Joint FCR and Coalition Motion and Objection
92.	3/3/2022	9136	Transcript regarding Hearing Held 3/2/2022 Re: Motions in Limine
93.	3/7/2022	9177	Unsealed Versions of Certain Insurers' Opposition and Declaration
94.	3/9/2022	9252	Transcript regarding Hearing Held 3/8/2022 Re: Pretrial Conference
95.	3/10/2022	9273	Declaration of Bruce Griggs
96.	3/10/2022	9274	Declaration of Michael Burnett
97.	3/10/2022	9275	Supplemental Declaration of Catherine Nownes-Whitaker
98.	3/11/2022	9279	Declaration of Devang Desai
99.	3/11/2022	9280	Declaration of Brian Whittman
100.	3/12/2022	9309	Declaration of Adrian Azer
101.	3/13/2022	9311	Certain Insurers' Evidentiary Objections to Witness Declarations
102.	3/14/2022	9316	Declaration of William S. Sugden
103.	3/14/2022	9317	Declaration of Makeda Murray
104.	3/15/2022	9337	Objection of Certain Insurers to the Declaration of Adrian Azer
105.	3/15/2022	9339	Debtors' Response to the Certain Insurers' Evidentiary Objection to Declaration of Bruce Griggs

106.	3/15/2022	9341	Transcript regarding Hearing Held 3/14/2022 RE: Confirmation (Day 1).
107.	3/16/2022	9348	Debtors' Response to Objection of the Certain Insurers to the Declaration of Adrian Azer
108.	3/16/2022	9354	Transcript regarding Hearing Held 3/16/2022 RE: Confirmation (Day 2).
109.	3/17/2022	9368	Certain Insurers' Evidentiary Objections to Witness Declarations
110.	3/17/2022	9388	Declaration of Charles E Bates
111.	3/18/2022	9389	Transcript regarding Hearing Held 3/16/2022 RE: Confirmation (Day 3).
112.	3/18/2022	9391	Debtors' Response to Certain Insurers' Evidentiary Objections
113.	3/19/2022	9395	Declaration of James L. Patton, Jr.
114.	3/19/2022	9396	Declaration of Aaron Lundberg
115.	3/19/2022	9397	Declaration of Catherine Nownes-Whitaker
116.	3/19/2022	9398	Declaration of Nancy Gutzler
117.	3/19/2022	9400	Declaration of Jessica Horewitz
118.	3/19/2022	9401	Declaration of Paul Rytting
119.	3/20/2022	9402	Certain Insurers' Evidentiary Objections to Witness Declarations
120.	3/21/2022	9403	Debtors' Response to Certain Insurers' Evidentiary Objections
121.	3/21/2022	9404	Certain Insurers' Evidentiary Objections to Witness Declarations
122.	3/21/2022	9406	Transcript Regarding Hearing Held 3/18/2022 RE: Confirmation (Day 4).
123.	3/21/2022	9407	Transcript Regarding Hearing Held 3/18/2022 RE: Confirmation (Day 5).
124.	3/21/2022	9408	Transcript Regarding Hearing Held

			03/17/2022 RE: Confirmation Hearing.
125.	3/21/2022	9409	Transcript Regarding Hearing Held 03/18/2022 RE: Confirmation Hearing.
126.	3/21/2022	9411	Agreed Order Regarding Certain Insurers' Motions in Limine
127.	3/22/2022	9426	Certain Insurers' Evidentiary Objections to Witness Declarations
128.	3/22/2022	9428	Future Claimants' Representative's Response to Certain Insurers' Evidentiary Objections
129.	3/22/2022	9429	Debtors' Response to Certain Insurers' Evidentiary Objections
130.	3/23/2022	9446	Declaration of Andrew Hammond
131.	3/23/2022	9449	Declaration of Paul Rytting
132.	3/23/2022	9454	Transcript Regarding Hearing Held 3/21/2022 RE: Confirmation (Day 6).
133.	3/23/2022	9455	Transcript Regarding Hearing Held 3/22/2022 RE: Confirmation (Day 7).
134.	3/24/2022	9481	Declaration of Jason P. Amala
135.	3/25/2022	9482	Transcript Regarding Hearing Held 3/23/2022 RE: Confirmation (Day 8).
136.	3/25/2022	9490	Transcript Regarding Hearing Held 03/24/22 RE: Confirmation (Day 9).
137.	3/25/2022	9491	Declaration of Tancred Schiavoni
138.	3/28/2022	9497	Transcript Regarding Hearing Held 03/25/2022 RE: Trial.
139.	3/29/2022	9507	Declaration Concerning Certification of Records by Liberty Mutual
140.	3/29/2022	9508	Stipulation Between Debtors, Century, Hartford, Zurich, and Clarendon
141.	3/29/2022	9509	Stipulation Between Debtors, Settling Insurers, and Certain Insurers Regarding Admissibility of Insurance Policies

142.	3/30/2022	9517	Transcript Regarding Hearing Held 03/28/2022 RE: Confirmation (Day 11).
143.	3/30/2022	9529	Stipulation Between Debtors and Certain Insurers Regarding Admission of Insurance Policies
144.	3/31/2022	9530	Transcript Regarding Hearing Held 3/29/2022 RE: Confirmation (Day 12).
145.	4/1/2022	9544	Transcript Regarding Hearing Held 3/29/2022 RE: Confirmation (Day 13).
146.	4/4/2022	9562	Transcript Regarding Hearing Held 3/30/2022 RE: Confirmation (Day 13).
147.	4/4/2022	9563	Transcript Regarding Hearing Held 3/31/2022 RE: Confirmation (Day 14).
148.	4/4/2022	9564	Transcript Regarding Hearing Held 4/1/2022 RE: Confirmation (Day 15).
149.	4/4/2022	9576	Stipulation Between Debtors and Certain Insurers Regarding Admissibility of Exhibits
150.	4/5/2022	9578	Transcript Regarding Hearing Held 4/4/2022 RE: Confirmation (Day 16).
151.	4/5/2022	9591	Stipulation Between Debtors and Lujan Claimants Regarding Admissibility of Exhibits
152.	4/5/2022	9594	Sixth Amended Plan Supplement
153.	4/8/2022	9616	Transcript Regarding Hearing Held 4/6/2022 RE: Confirmation (Day 17).
154.	4/13/2022	9638	Transcript Regarding Hearing Held 4/7/2022 RE: Confirmation (Day 18).
155.	4/13/2022	9639	Transcript Regarding Hearing Held 4/11/2022 RE: Confirmation (Day 19).
156.	4/14/2022	9646	Transcript Regarding Hearing Held 4/12/2022 RE: Confirmation (Day 20).
157.	4/14/2022	9648	Transcript Regarding Hearing Held 4/13/2022 RE: Confirmation (Day 21).

158.	4/18/2022	9656	Transcript Regarding Hearing Held 4/14/2022 RE: Confirmation (Day 22).
159.	4/20/2022	9673	Order Regarding Stipulation
160.	4/20/2022	9674	Order Regarding Stipulation
161.	4/20/2022	9675	Order Regarding Stipulation
162.	4/20/2022	9676	Order Regarding Stipulation
163.	4/20/2022	9677	Order Regarding Stipulation
164.	4/21/2022	9689	Statement Regarding Closing Argument of Liberty Mutual Insurance Company
165.	4/21/2022	9690	Letter from Claimants Regarding Liberty Mutual's Objection
166.	4/22/2022	9696	Third Modified Fifth Amended Chapter 11 Plan of Reorganization (with Technical Modifications)
167.	4/22/2022	9697	Third Modified Fifth Amended Chapter 11 Plan of Reorganization (with Technical Modifications), and Blackline
168.	4/22/2022	9798	Seventh Amended Plan Supplement
169.	4/22/2022	9699	Revised Proposed Findings of Fact, Conclusions of Law, and Order Confirming the Third Modified Fifth Amended Chapter 11 Plan of Reorganization (with Technical Modifications), and Blackline
170.	4/27/2022	9746	Certain Insurers' Letter Response
171.	7/29/2022	10136	Opinion
172.	8/12/2022	10188	Debtors' Motion to Amend and Supplement Findings of Fact and Conclusions of Law in Confirmation Opinion
173.	8/15/2022	10192	Certain Insurers' Objection to Debtors' Motion to Shorten Notice
174.	8/19/2022	10215	Transcript Regarding Hearing Held

			8/18/2022
175.	8/24/2022	10247	Certain Insurers' Objection to Motion to Amend and Supplement The Findings of Fact and Conclusions of Law
176.	8/29/2022	10258	Debtors' Omnibus Reply in Support of Debtors Motion to Amend and Supplement Findings of Fact and Conclusions of Law
177.	8/29/2022	10259	Joint Reply of Tort Claimants' Committee, Coalition of Abused Scouts for Justice, Pfau Cochran Vertetis Amala PLLC and Zalkin Law Firm, PC. And the Future Claimants Representative to Certain Insurers' Objection
178.	8/29/2022	10262	Chapter 11 Plan of Reorganization Third Modified Fifth Amended Chapter 11 Plan of Reorganization (With Technical Modifications)
179.	8/29/2022	10265	Notice of Filing of Revised Supplemental Findings of Fact and Conclusions of Law
180.	9/2/2022	10288	Transcript Regarding Hearing Held 9/1/2022
181.	9/6/2022	10295	Notice of Filing of Further Revised Supplemental Findings of Fact and Conclusions of Law
182.	9/6/2022	10296	Chapter 11 Plan of Reorganization // Third Modified Fifth Amended Chapter 11 Plan of Reorganization (with Technical Modifications)
183.	9/6/2022	10297	Notice of Filing of Blackline of Conformed Debtors Third Modified Fifth Amended Chapter 11 Plan of Reorganization
184.	9/7/2022	10304	Letter from The Hon. Judge Silverstein re: Language for Paragraph 51(b)

185.	9/8/2022	10316	Supplemental Findings of Fact and Conclusions of Law and Order Confirming the Third Modified Fifth Amended Chapter 11 Plan of Reorganization (with Technical Modifications)
186.	9/8/2022	10317	Transcript Regarding Hearing Held 9/7/2022
187.	9/21/2022	10378	Notice of Appeal filed by National Union Fire Insurance Company of Pittsburgh, PA, <i>et al.</i>
188.	9/21/2022	10379	Notice of Appeal filed by Travelers Casualty and Surety Company, Inc., <i>et al.</i>
189.	9/21/2022	10382	Notice of Appeal filed by Continental Insurance Company, <i>et al.</i>
190.	9/21/2022	10384	Notice of Appeal filed by Allianz Global Risks US Insurance Company, <i>et al.</i>
191.	9/21/2022	10386	Notice of Appeal filed by Argonaut Insurance Company and Colony Insurance Company
192.	9/21/2022	10388	Notice of Appeal filed by Arrowood Indemnity Company
193.	9/21/2022	10391	Notice of Appeal filed by Liberty Mutual Insurance Company, <i>et al.</i>
194.	9/21/2022	10392	Notice of Appeal filed by Old Republic Insurance Company
195.	9/21/2022	10393	Notice of Appeal filed by General Star Indemnity Company
196.	9/21/2022	10396	Notice of Appeal filed by Indian Harbor Insurance Company
197.	9/21/2022	10398	Notice of Appeal filed by Munich Reinsurance Company America, Inc.
198.	9/21/2022	10401	Notice of Appeal filed by Arch



			Insurance Company
199.	9/21/2022	10403	Notice of Appeal filed by Great American Assurance Company, <i>et al.</i>
200.	9/21/2022	10405	Notice of Appeal filed by Gemini Insurance Company
201.	9/21/2022	10407	Notice of Appeal filed by Traders and Pacific Insurance Company, <i>et al.</i>

**B. District Court Docket Entries**

<b>Consolidated Appeal: <i>National Union Fire Insurance Co. of Pittsburgh PA et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01237-RGA<sup>2</sup></b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
202.	9/22/2022	1	Notice of Appeal
203.	9/22/2022	2	Notice of Docketing
204.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
205.	10/3/2022	5	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
206.	10/4/2022	6	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
207.	10/6/2022	15	Joint Designation of Additional Items to

<sup>2</sup> National Union Fire Insurance Company of Pittsburgh, Pa., Lexington Insurance Company, Landmark Insurance Company, and the Insurance Company of the State of Pennsylvania were original appellants in case number 22-cv-01237. On October 17, 2022, their appeal was procedurally consolidated with appeals of other insurers and certain claimant groups, with the Court directing that “[a]ll further filings with this Court will be docketed under the Master Case Number.” See Order Granting Motion, *National Union Fire Ins. Co. of Pittsburgh PA, et al. v. Boy Scouts of America and Delaware BSA, LLC*, No. 22-cv-01237-RGA (D. Del.) (Dkt. No. 22). Designated filings in other appeals by insurers prior to consolidation are set forth below.

			Be Included in the Record on Appeal
208.	10/17/2022	21	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
209.	10/17/2022	22	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
210.	11/07/2022	43	Appellant's Brief by Liberty and Allianz Insurers
211.	11/07/2022	45	Appellant's Brief by Certain Insurers
212.	11/07/2022	47	Notice of Filing Hard Drive Containing Appendix of Certain Insurers
213.	11/14/2022	55	Hard Drive Containing Appendix of Certain Insurers
214.	12/7/2022	66	Appellee's Brief by BSA
215.	12/7/2022	67	Appellee's Brief by Ad Hoc Committee of Local Councils of the Boy Scouts of America
216.	12/7/2022	69	Appendix of Ad Hoc Committee of Local Councils of the Boy Scouts of America
217.	12/7/2022	81	Appellee's Brief by FCR
218.	12/7/2022	85	Appendix of FCR
219.	12/7/2022	86	Appellee's Brief by First State Insurance Company, Hartford Accident and Indemnity Company, Navigators Specialty Insurance Company, Twin City Fire Insurance Company

220.	12/7/2022	88	Compendium of Unreported Decisions
221.	12/7/2022	89	Appellee's Brief by Coalition, Pfau Cochran Vertetis Amala PLLC, the Zalkin Law Firm, P.C., and the TCC
222.	12/9/2022	95	Appendix of BSA: Volume 1
223.	12/9/2022	96	Appendix of BSA: Volume 2
224.	12/9/2022	97	Appendix of BSA: Volume 3
225.	12/9/2022	98	Appendix of BSA: Volume 4
226.	12/9/2022	99	Appendix of BSA: Volume 5
227.	12/14/2022	103	Notice of Filing Multimedia Materials
228.	12/14/2022	104	[PROPOSED] Order Approving Stipulation Regarding Designation of Certain Items to be Included in the Record on Appeal Pursuant to Federal Rule of Bankruptcy Procedure 8009(e)
229.	12/14/2022	105	Multimedia Documents
230.	12/14/2022	106	Order Approving Stipulation Regarding Designation of Certain Items to be Included in the Record on Appeal Pursuant to Federal Rule of Bankruptcy Procedure 8009(e)
231.	12/21/2022	109	Reply Brief by Certain Insurers
232.	12/21/2022	111	Reply Brief by Allianz and Liberty Insurers
233.	12/23/2022	115	Letter to Hon. Richard G. Andrews regarding oral argument
234.	1/4/2023	118	[REDACTED] Appendix of BSA: Volume 6.
235.	1/05/2023	120	Oral Order Regarding Redactions
236.	1/10/2023	121	Oral Order Regarding Argument
237.	1/13/2023	123	Motion of the Certain Insurers to Supplement the Record

238.	1/13/2023	124	Notice of Filing Multimedia Materials
239.	1/17/2023	125	Multimedia Document
240.	1/19/2023	127	Official Transcript of Scheduling Conference held on 10/7/22 before Judge Richard G. Andrews.
241.	1/27/2023	128	Boy Scouts of America's Opposition to the Certain Insurers' Motion to Supplement the Record
242.	1/27/2023	129	Joinder of the Official Committee of Tort Claimants, Pfau Cochran Vertetis Amala PLLC, and the Zalkin Law Firm, P.C. to the BSA's Opposition to the Certain Insurers' Motion to Supplement the Record
243.	2/1/2023	130	Letter to Hon. Richard G. Andrews Regarding Third Circuit Decision
244.	2/2/2023	131	Letter to Hon. Richard G. Andrews Regarding Third Circuit Decision
245.	2/3/2023	132	Reply of the Certain Insurers in Further Support of Motion to Supplement the Record
246.	3/7/2023	144	Official Transcript of Oral Argument held on 2/9/23 before Judge Richard G. Andrews
247.	3/7/2023	145	Official Transcript of Oral Argument held on 2/10/23 before Judge Richard G. Andrews
248.	3/28/2023	150	Opinion
249.	3/28/2023	151	Order
250.	3/31/2023	152	Emergency Motion for Stay
251.	3/31/2023	153	Affidavit of Deirdre M. Richards
252.	4/4/2023	162	Oral Order
253.	4/6/2023	164	Response to Emergency Motion

254.	4/6/2023	165	Declaration of Brian Whittman
255.	4/6/2023	166	Declaration of Stephen Ehmann
256.	4/6/2023	167	Declaration of David Stern
257.	4/6/2023	168	Declaration of Evan Smola
258.	4/6/2023	169	Declaration of Irwin Zalkin
259.	4/6/2023	170	Declaration of Peter Janci
260.	4/6/2023	171	Declaration of Patrick Stoneking
261.	4/6/2023	172	Declaration of Paul Mones
262.	4/6/2023	173	Declaration of Jordan Merson
263.	4/7/2023	174	Reply to Emergency Motion
264.	4/10/2023	178	Notice of Appeal filed by Liberty Insurance Underwriters Inc., et al.
265.	4/10/2023	180	Notice of Appeal filed by Columbia Casualty Co., et al.
266.	4/10/2023	181	Notice of Appeal filed by Landmark Insurance Company, et al.
267.	4/10/2023	182	Notice of Appeal filed by Indian Harbor Insurance Company
268.	4/10/2023	183	Notice of Appeal filed by Old Republic General Insurance Group
269.	4/10/2023	184	Notice of Appeal filed by Travelers Casualty and Surety Company, Inc.
270.	4/10/2023	185	Notice of Appeal filed by Great American Assurance Company, et al.
271.	4/10/2023	186	Notice of Appeal filed by Allianz Global Risks US Insurance Company, et al.
272.	4/10/2023	187	Notice of Appeal filed by Argonaut Insurance Company, et al.
273.	4/10/2023	188	Notice of Appeal filed by Gemini Insurance Company

274.	4/10/2023	189	Notice of Appeal filed by General Star Indemnity Company
275.	4/10/2023	190	Notice of Appeal filed by Arrowood Indemnity Company
276.	4/10/2023	191	Notice of Appeal filed by Endurance American Insurance Company, et al.
277.	4/11/2023	193	Memorandum Order
<b>Pre-Consolidated Appeal: <i>Travelers Casualty and Surety Company, Inc. et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01238-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
278.	9/22/2022	1	Notice of Appeal
279.	9/22/2022	2	Notice of Docketing
280.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
281.	10/03/2022	5	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
282.	10/04/2022	6	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
283.	10/06/2022	11	Joint Designation of Additional Items to Be Included in the Record on Appeal
284.	10/17/2022	12	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC

285.	10/17/2022	13	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Old Republic Insurance Company v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01239-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
286.	9/22/2022	1	Notice of Appeal
287.	9/22/2022	2	Notice of Docketing
288.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
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291.	10/06/2022	13	Joint Designation of Additional Items to Be Included in the Record on Appeal
292.	10/17/2022	14	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
293.	10/17/2022	15	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware

			BSA, LLC
<b>Pre-Consolidated Appeal: <i>General Star Indemnity Company v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01240-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
294.	9/22/2022	1	Notice of Appeal
295.	9/22/2022	2	Notice of Docketing
296.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
297.	10/03/2022	8	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
298.	10/04/2022	10	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
299.	10/06/2022	15	Joint Designation of Additional Items to Be Included in the Record on Appeal
300.	10/17/2022	16	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
301.	10/17/2022	17	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC



<b>Pre-Consolidated Appeal: <i>Indian Harbor Insurance Company v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01241-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
302.	9/22/2022	1	Notice of Appeal
303.	9/22/2022	2	Notice of Docketing
304.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
305.	10/03/2022	5	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
306.	10/04/2022	6	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
307.	10/06/2022	14	Joint Designation of Additional Items to Be Included in the Record on Appeal
308.	10/17/2022	15	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
309.	10/17/2022	16	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Munich Reinsurance America, Inc. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01242-RGA</b>			
<b>Item</b>	<b>Date</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>

	Filed/Entered		
310.	9/22/2022	1	Notice of Appeal
311.	9/22/2022	2	Notice of Docketing
312.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
313.	10/03/2022	5	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
314.	10/04/2022	6	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
315.	10/06/2022	11	Joint Designation of Additional Items to Be Included in the Record on Appeal
316.	10/17/2022	12	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
317.	10/17/2022	13	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Arch Insurance Company v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01243-RGA</b>			
Item	Date Filed/Entered	Dis. Ct. Dkt. No.	Description
318.	9/22/2022	1	Notice of Appeal
319.	9/22/2022	2	Notice of Docketing

320.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
321.	10/03/2022	7	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
322.	10/04/2022	9	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
323.	10/06/2022	14	Joint Designation of Additional Items to Be Included in the Record on Appeal
324.	10/17/2022	15	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
325.	10/17/2022	16	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Great American Assurance Company et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01244-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
326.	9/22/2022	1	Notice of Appeal
327.	9/22/2022	2	Notice of Docketing
328.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of

			America and Delaware BSA, LLC
329.	10/03/2022	8	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
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333.	10/17/2022	17	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>The Continental Insurance Co. et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01245-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
334.	9/22/2022	1	Notice of Appeal
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338.	10/04/2022	6	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
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341.	10/17/2022	14	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Gemini Insurance Company v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01246-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
342.	9/22/2022	1	Notice of Appeal
343.	9/22/2022	2	Notice of Docketing
344.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
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349.	10/17/2022	16	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Traders and Pacific Insurance Company et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01247-RGA</b>			
Item	Date Filed/Entered	Dis. Ct. Dkt. No.	Description
350.	9/22/2022	1	Notice of Appeal
351.	9/22/2022	2	Notice of Docketing
352.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
353.	10/03/2022	5	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
354.	10/04/2022	6	District of Delaware Bankruptcy Court Appeal Transmittal Sheet and List of Appellees
355.	10/06/2022	11	Joint Designation of Additional Items to Be Included in the Record on Appeal

356.	10/17/2022	12	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
357.	10/17/2022	13	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Argonaut Insurance Company et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01250-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
358.	9/22/2022	1	Notice of Appeal
359.	9/22/2022	2	Notice of Docketing
360.	9/27/2022	3	Joint Motion for Consolidation and to Approve Stipulation Regarding Appeals From Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
361.	10/03/2022	5	Statement of Issues on Appeal and Designation of Items to Be Included in the Record on Appeal
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363.	10/06/2022	16	Joint Designation of Additional Items to Be Included in the Record on Appeal
364.	10/17/2022	17	[PROPOSED] Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of

			America and Delaware BSA, LLC, and Stipulation Regarding Appeals from Order Confirming Plan or Reorganization of Boy Scouts of America and Delaware BSA, LLC
365.	10/17/2022	18	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: Arrowood Indemnity Company v. Boy Scouts of America and Delaware BSA, LLC, No. 22-cv-01251-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
366.	9/22/2022	1	Notice of Appeal
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			America and Delaware BSA, LLC
373.	10/17/2022	14	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Liberty Mutual Insurance Company et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01252-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
374.	9/22/2022	1	Notice of Appeal
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381.	10/17/2022	17	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of

			Boy Scouts of America and Delaware BSA, LLC
<b>Pre-Consolidated Appeal: <i>Allianz Global Risks US Insurance Company et al. v. Boy Scouts of America and Delaware BSA, LLC</i>, No. 22-cv-01263-RGA</b>			
<b>Item</b>	<b>Date Filed/Entered</b>	<b>Dis. Ct. Dkt. No.</b>	<b>Description</b>
382.	9/22/2022	1	Notice of Appeal
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389.	10/17/2022	14	Order Granting Motion on Stipulation Regarding Appeals from Order Confirming Plan of Reorganization of Boy Scouts of America and Delaware BSA, LLC

**C. Exhibits**

The parties agreed by stipulation that all exhibits admitted into evidence at the Confirmation Hearing in the Bankruptcy Court would be designated and that the parties shall cooperate to facilitate transmittal of the record. In accordance with the instructions of the District Court, exhibits that were not docketed in the Bankruptcy Court were submitted to the District Court via multi-media filing and can be provided to the circuit clerk upon request. For avoidance of doubt, Appellants again designate all exhibits admitted into evidence into the record for appeal. Appellants reserve the right to seek to amend or supplement the exhibits admitted into the record to the extent necessary to add any omitted exhibits.

Dated: Wilmington, Delaware  
April 24, 2023

Respectfully Submitted,  
/s/ Deirdre M. Richards

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